IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THURSDAY THE EIGHTEENTH DAY OF NOVEMBER TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE **MR. DEVINDER GUPTA, CHIEF JUSTICE**
AND
THE HON'BLE MR.JUSTICE: **C.V.RAMULU**

WRIT APPEAL No. 1780 of 2004

(Appeal under Clause 15 of the Letters Patent against the Order in WP.No.15090 of 2004 dated 25-080-2004 on the file of the High Court).

Between:
Mrs. Farida M.Siganporia.

Appellant/Petitioner

AND

1. The Secunderabad Cantonment Board, rep. by its Executive Officer, Secunderabad.
2. Military Estate Officer, Secunderabad Cantonment Board, Secunderabad.
3. GOC & C, Southern Command, Pune.
4. Innovation Builders, rep. by Mrs. M.T.Khambati, W/o. Sri T.N.Khambati, Resident of 6-2-20, New Bhoiguda, Secunderabad.

Respondents

The Petition coming on for hearing upon perusing the petition and Grounds filed herein and upon hearing the arguments of Mr. Ravi S., Advocate for the Appellant and of Mr. Y.v.Ravi Prasad for the Respondent No.1 and of Mr. A.Rajasekhar Reddy – S.C. for CG for the Respondents 2 & 3.

The Court made the following **ORDER:**

" Learned single Judge has held that the petitioner-appellant is claiming title through Respondent No.4, and insofar as respondent No.4 is concerned, the matter stands finally settled by judgment rendered in WA.No. 45 of 1998, dated. 6-8-1999. The petitioner-appellant is seeking to have re-consideration of the said judgment in this appeal and of the subsequent declaration of law by a Division Bench in Union of India v. Vasavi Co-operative Housing Society Ltd. (2002 (5) ALD 532).

We allow time to the learned counsel for the appellant to satisfy us whether it would be permissible for a person to claim title through a person who is in possession validly in view of the judgment in a writ petition filed subsequently by a subsequent purchaser.

List next week."

ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Executive Officer, Secunderabad Cantonment Board, Secunderabad.
2. The Military Estate Officer, Secunderabad Cantonment Board, Secunderabad.
3. The GOC & C, Southern Command, Pune.
4. Mrs. M.T.Khambati, W/o. Sri T.N.Khambati, Innovation Builders, Resident of 6-2-20, New Bhoiguda, Secunderabad.
5. Two spare copies.

SAH